

March 7, 2022

Testimony in Support of
S.B. No. 17 – An Act Prohibiting an Institution of Higher Education from Withholding
Transcripts

Luke Herrine

My name is Luke Herrine, and I am a Ph.D. Candidate in Law at Yale University, soon-to-be Assistant Professor of Law at the University of Alabama, and a Member of the Board of Student Loan Fund. I am writing to urge the Connecticut General Assembly to pass this bill as soon as possible.

The practice of refusing to release transcripts to students who have successfully completed programs of study simply because those students have defaulted on debts is totally unnecessary. Institutions of higher education—like any creditors—have ample means at their disposal to collect debts. If they cannot prevail upon a debtor through suasion, pestering, dinging credit reports, or hard bargaining, then they can always resort to the courts. Refusing to release transcripts—mere records of an alum’s own accomplishments—is petty. Venal. Cruel.

A transcript is often necessary to obtaining gainful employment as well as a precondition for undertaking further study. If an institution of higher education refuses to issue a transcript for an alum, it effectively stands in the way of a student’s betterment. It may even stand in the way of that student’s next meal. In doing so, an institution of higher education effectively denies its former student the ability to benefit from her own efforts. It asserts a sort of security interest in a student’s education. In doing so, it undermines its own purpose to serve as a means through which people can better themselves through knowledge. After all, a transcript is merely a record. In requesting one, an alum is not asking an institution to vouch for their character or recommend her for any particular purpose. They are asking an institution to reproduce a document of facts about the alum’s achievements that the institution already keeps. It is an extremely low cost to an institution but extremely high stakes for a student.

Indeed, denying alums access to their transcripts is self-defeating to institutions of higher education *qua* debt collection. Students without the ability to obtain higher-earning jobs because they cannot access their transcripts are students with less income to use to pay down debts. They are students without wages to garnish. Perhaps this seems less applicable to a student that refuses to pay—rather than being unable to do so. But how will refusing to release a transcript make a reluctant payor *more* willing to pay? Surely it will usually sour the relationship further, inviting further acrimony and default.

I urge you to save colleges from themselves. And to spare students colleges’ worst instincts. Pass this bill now.